

Maine Revised Statutes

Title 38: WATERS AND NAVIGATION

Chapter 23: COASTAL AND LAKE WATERSHED DISTRICTS

HEADING: PL 1989, c. 900, §1 (new); PL 1997, c. 683, Pt. A, §21 (rpr)

§2007. POWERS

A watershed district has the following powers. [1987, c. 711, (NEW).]

1. General. Any district organized under this chapter may sue and be sued; make contracts; accept gifts, purchase, lease, devise or otherwise acquire, hold or dispose of real or personal property; disburse money; contract debt; adopt rules; and do such other acts as necessary to carry out the purposes of the district.

[1987, c. 711, (NEW) .]

2. Security required. The district may require that a contracting party give adequate security to assure performance of the contract and to pay all damages which may arise from inadequate performance.

[1987, c. 711, (NEW) .]

3. Responsibilities. The district is responsible for those activities listed in the declaration of district responsibilities as approved in accordance with section 2002. The activities are limited to the following:

A. Initiating and coordinating research and surveys for the purpose of gathering data on wetlands, water bodies, related shorelands and watersheds within the territory of the district; [1993, c. 721, Pt. E, §4 (AMD); 1993, c. 721, Pt. H, §1 (AFF).]

B. Planning natural resource restoration projects; [1993, c. 721, Pt. E, §4 (AMD); 1993, c. 721, Pt. H, §1 (AFF).]

C. Contacting and attempting to secure the cooperation of municipal officials and state agencies for the purpose of enacting and enforcing ordinances and regulations necessary to further the purposes of the district; [1987, c. 711, (NEW).]

D. Adopting and implementing natural resource protection, management and restoration plans; [1993, c. 721, Pt. E, §4 (AMD); 1993, c. 721, Pt. H, §1 (AFF).]

E. Adopting and implementing plans and programs to facilitate coordination of water level management and surface water use on great ponds within the territory of the district; and [1993, c. 721, Pt. E, §4 (AMD); 1993, c. 721, Pt. H, §1 (AFF).]

F. Entering into agreements with a municipality or group of municipalities that are wholly or partially within the district to administer the land use ordinances of that municipality or group of municipalities. [1993, c. 721, Pt. E, §4 (NEW); 1993, c. 721, Pt. H, §1 (AFF).]

[1993, c. 721, Pt. E, §4 (AMD); 1993, c. 721, Pt. H, §1 (AFF) .]

4. Limits on jurisdiction. The limits on jurisdiction regarding the regulation of water level are as follows.

A. The district has no authority to set a water level regime for a body of water impounded by a dam that is exempt, under section 840, subsection 1, from the authority of the commissioner to set water level regimes. [1989, c. 890, Pt. A, §40 (AFF); 1989, c. 890, Pt. B, §287 (AMD).]

B. The district's authority to set a water level regime for any water body within its boundaries and over any dams within its boundaries is subordinate to the authority of a municipality under Title 30-A, chapter 187, subchapter VI and to the authority of the Department of Environmental Protection under chapter 5, subchapter I, article 1, subarticle 1-B, article 3-A and article 4. [1993, c. 721, Pt. E, §5 (AMD); 1993, c. 721, Pt. H, §1 (AFF).]

[1993, c. 721, Pt. E, §5 (AMD); 1993, c. 721, Pt. H, §1 (AFF) .]

SECTION HISTORY

1987, c. 711, (NEW). 1989, c. 890, §§A40,B287 (AMD). 1993, c. 721, §§E4,5 (AMD). 1993, c. 721, §H1 (AFF).

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